



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TEXAS 75202-2733

November 19, 2002

COPY

**URGENT LEGAL MATTER
PROMPT REPLY NECESSARY
CERTIFIED MAIL NUMBER: 7000 0360 0003 6676 1475
RETURN RECEIPT REQUESTED**

The Honorable Tim Coulon
Parish President
Jefferson Parish
1221 Elmwood Park Blvd. #601
New Orleans, LA 70123-2337

919642



**Re: Follow-up Request for Information Pursuant to Section 104(e) of CERCLA,
42 U.S.C. § 9604(e), for Westbank Asbestos Site, Jefferson Parish, LA**

Dear President Coulon:

This is to inform you that if you do not respond fully to the U.S. Environmental Protection Agency's (EPA) August 22, 2002, Information Request (copy enclosed) as provided in this letter within 21 days from the date of this letter, the EPA may issue an order to compel compliance with the Information Request and access to documents related to the Request. Failure to comply with such an Order within the time specified may subject you to judicial enforcement of the Order as well as civil penalties of up to \$27,500 for each day of noncompliance with the Information Request, and with the Order, or both pursuant to Section 104(e)(5) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. Section 9604(e)(5). Failure to comply may also subject you to punitive damages in an amount up to three times the amount of any costs incurred by the United States as a result of such failure, as provided in Section 107(c)(3) of CERCLA, 42 U.S.C. Section 9607(c)(3).

On August 22, 2002, the EPA issued the Information Request to you pursuant to Section 104(e) of the CERCLA, 42 U.S.C. Section 9604(e). According to our records, you received the information request on August 26, 2002. Your response to this information request was initially due on September 25, 2002.

In a September 18, 2002, letter to EPA Attorney Mr. James E. Costello, your attorney, Ms. Debra Miller Yenni, requested an extension of time for you to respond to the Information Request. In light of the difficulty that Ms. Yenni said that you were having locating responsive

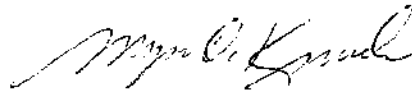
information, EPA agreed, in a letter from Mr. Costello to your attorney dated September 23, 2002, to provide you with additional time, until October 25, 2002, to respond to the Information Request.

We have now received an October 24, 2002, letter from Mr. Thomas G. Wilkinson, Parish Attorney, which purports to be a response to our August 22, 2002, Information Request; however, Mr. Wilkinson's letter does not reply for Jefferson Parish, but rather limits its responses to just two Parish departments—the Department of Environmental Affairs, and the Department of Sewerage. Moreover, Mr. Wilkinson's letter, per its terms, is based solely on the knowledge of two individuals—Ms. Marnie Winter and Mr. Brett P. Todd, Directors of the Department of Environmental Affairs, and the Department of Sewerage, respectively. According to your website— www.jeffparish.net, there are approximately 34 departments in the Parish Government, with numerous employees. By limiting your response to the information gathered from the knowledge of just two individuals in two departments, it is clear to us that your response is artificially constrained.

Please do a more thorough job of canvassing your employees and officials as you respond to our Information Request (copy enclosed). Please also follow the instructions in our letter as you make your response. For example, please refer to the definitions of the various terms in our Information Request as you construct your answer, and please precede each answer with the question to which it responds (we have already provided Ms. Yenni with an electronic version of our Information Request so that this task is simplified).

If we do not receive a complete response to our Information Request within 21 days from the date of this letter, we may elect to take the action described in the first paragraph of this letter. Due to the ramifications of failure to completely respond to the Information Request, EPA strongly encourages you to submit your written response to EPA. If you have any questions regarding this matter, please contact EPA Enforcement Officer Ms. Barbara Aldridge, at (214) 665-2712, or your attorney may contact Mr. Costello at (214) 665-8045.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Myron O. Knudson". The signature is fluid and cursive, with the first name "Myron" being more prominent.

Myron O. Knudson, P.E.
Director
Superfund Division

Enclosure